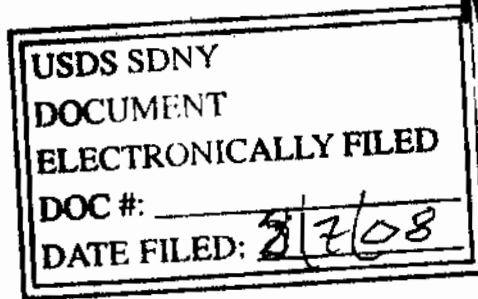


**Hughes  
Hubbard**



**MEMO ENDORSED**

Hughes Hubbard & Reed LLP  
One Battery Park Plaza  
New York, New York 10004-1482  
Telephone: 212-837-6000  
Fax: 212-422-4726  
hugheshubbard.com

August 6, 2008

BY HAND

Hon. Naomi R. Buchwald  
U.S. District Judge  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street, Room 2270  
New York, New York 10007

U.S. DISTRICT COURT  
NOMI REID, JUDGE

AUG - 7 2008

UNITED STATES DISTRICT COURT

Re: *Ore et al. v. Thelonious Records, Inc. et al.*, 07 Civ. 10681  
(NRB)(MHD)

Dear Judge Buchwald:

On behalf of the plaintiffs in this action, we write to update Your Honor concerning the status of the parties' settlement discussions.

Defendants recently provided plaintiffs with certain information concerning defendants' sales and future releases of live musical recordings at issue in this litigation. At this time, we are still reviewing the information provided by defendants. We expect to serve a written response on defendants within the next two weeks.

Based on the foregoing, plaintiffs respectfully request that Your Honor allow for an additional thirty (30) days for the parties to continue settlement discussions. Defendants' counsel has consented to this request. This is the third request for an extension.

Respectfully,

Natasha N. Reed

*So Ordered.*  
*Naomi*  
*Reed*  
*then add,*  
*NRB*  
8/7/08

cc: Robert W. Clarida, Esq. (by electronic mail)  
Patrick T. Perkins, Esq. (by electronic mail)